

**HAMPTON BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
August 11, 2003 7:00 PM**

**PRESENT:** Brian C. Warburton, Chairman, Virginia Bridle,  
James Workman, William Sullivan  
James Barrington, Town Manager  
Karen Anderson, Administrative Assistant

**ABSENT:** Cliff Pratt

**PUBLIC HEARINGS:**

1. The Board of Selectmen held a public hearing to take comments from the public in regard to the Town accepting an access easement for Harbor Road Connector – Harbor Road to Duston Avenue. This is the first hearing in the process outlined in RSA 41:14-a for the town to accept a “connector” road that has been required by the Planning Board.

Mr. Jack Kavanaugh, 14 Dustin Avenue said that he understands the process that is being followed and requested that this be stated as an access for emergency use only. He said that there are many problems that can be created by having this as a public access. Mr. Kavanaugh said that the Chief of Police has indicated his concerns to the Planning Board if this were to be open to the public. Mr. Kavanaugh said that there is a bus stop at that location with 12- 15 children and that could be a safety hazard. Ideally the developer would like to get rid of the marina traffic and he strongly suggests that when this is approved that it is done so as emergency access only. Mr. Kavanaugh thanked Mr. Barrington for his efforts in this.

Mr. Barrington reported that letters have been received from the Conservation Commission and the Planning Board approving this easement for Golden Corridor.

Mr. Sullivan said that the last plan he saw indicated that the road is being brought out into a sharp curve, which will help control the access into the Marina. Mr. Kavanaugh said that the perfect remedy would be to have the access road gated, with emergency services having the control of the gate.

The next public hearing on this will be on August 25, 2003.

**I. SALUTE TO THE FLAG**

Mr. Jack Kavanaugh led the audience in the salute to the flag.

**II. ANNOUNCEMENTS AND COMMUNITY CALENDAR**

Mr. Workman announced that the Professional Firefighters will be holding a voluntary tollbooth at Ashworth Avenue to benefit MDA this Sunday.

August 15, 16 & 17<sup>th</sup> are the up town Sidewalk Sale Fair Days with many activities planned.

September 5 –7<sup>th</sup> will be the annual Seafood Festival. Volunteers are still needed and urged to call the Volunteer Hotline.

**III. OLD BUSINESS**

Town Manager's Report

Mr. Barrington showed the Board a report that was received during the Homeland Security Conference that he and Selectman Sullivan attended last week. He noted that while in Washington they were able to meet with Senator Sununu and Senator Gregg about potential Homeland Security grant sources for the Town for the construction of the boat dock.

Mr. Barrington added that he, Attorney Gearreald, and Chief Lipe had the opportunity to meet with Mark Maynard and Peter Saari on the issue of the boat dock in Hampton Harbor. An alternate site for the dock

was proposed on the west side of the existing pier where there is an old boat launch ramp. This site appears to be acceptable for the Town purposes. Chief Lipe will be meeting with Mark Maynard and his engineer on the situation this week and will have more information after the revised plan has been presented to the Planning Board.

#### Seafood Festival Parking

Mr. Barrington told the Board the Mr. Fred Schaake told him that he will be opening some space on the street by the water slide for additional parking during the Seafood Festival. He will be moving the vehicles that have used that for parking over the past several years to his vacant lot next to Yankee Trader.

#### Gazebo

Chamber of Commerce President Doc Noel and Chairman Bob Jones updated the Manager on the status of the Gazebo in Depot Square. A file of information that was provided on the outstanding bill that remains in question was copied for the Board. The Chamber is considering providing a "hold harmless" agreement to the Town and then turning the gazebo over, with the financial questions remaining their responsibility to resolve. The Manager will keep the Board posted on further developments.

A new trash receptacle for the Marelli Park area has been ordered and Public Works is working on the details for replacing the sidewalk so we can finalize the easement agreement with the surrounding property owners.

#### Engineering Projects

The Town has advertised a Request for Proposals for Engineering services for our multiple engineering projects, and has been receiving a significant number of inquiries for the full information packets. As of this writing, we have sent out copies to over 30 firms. The deadline for submission is September 11.

#### Police Facility

Whitcher Builders has received the building permit for the new Police station. The construction trailer was scheduled to arrive last Friday, with fence work beginning this week. The town should expect to see significant mobilization within the next two weeks.

#### Little River Road Paving

The completion of the Little River Road paving project is expected to take place the week of August 18. There are apparently some outstanding issues with Aquarion's schedule for some of their work there, but we hope to resolve those issues at a meeting planned this week to discuss water quantity issues at the beach as part of the infrastructure upgrade project.

#### Capital Budget

At the suggestion of Representative Mike O'Neil, the Town Manager told the Board he has scheduled a meeting with Commissioner Don Hill regarding the Hampton District Court. That meeting will be at 10:30 a.m. on Wednesday, September 10 in Concord. Since the Capital Budget has already passed, the funding for the siting and preliminary plans for the Hampton District Court is already appropriated. It is now timely to meet with the commissioner to discuss Hampton's needs relative to the court and how we can work with the state to insure that the courthouse stays in Hampton.

#### Water Quality Testing Grant

Mr. Barrington told the Board that on Thursday, he attended a ceremony at the band shell where EPA presented a ceremonial check to DES for water quality testing. At that event he had the opportunity to meet the new DES Commissioner, Michael Nolin and took the opportunity to talk to him about Hampton's infrastructure project. The Manager will be making arrangements to have a meeting with him in the near future to fully bring him up to date on Hampton's plans and the coordination the Town is trying to maintain with all the appropriate state agencies. More details will be provided on that meeting as it is scheduled.

Beaver Dam

Mr. Barrington reported that for the past few weeks there has been an issue involving a beaver dam on Mill Pond behind the Old Grist Mill. While this has appeared to primarily be a civil matter between two adjacent land owners who have a disagreement over the relative value of having beavers live in the neighborhood, the recent heavy rains have now led him to make this an issue for the Town. Attorney Gearreald and the Manager visited the site this week to find that there is water overflowing onto our street, and there is seepage coming under the stones in front of the earthen dam. Some of this water is running under the foundation of the Old Grist Mill. The combination of these factors led the manager to contact the Fish and Game Department. While State law generally limits/prohibits tampering with beaver dams, it makes several specific exemptions under which we have operated. Due to what could be considered a potential hazard to the public safety and welfare if the man made dam should be breached by the weight of the water now existing behind it, Public Works was instructed to make efforts to open enough of the top of the beaver dam to lower the water level gradually. In the meantime, the Fish and Game Department is working with the Town to make a modification to the beaver dam that will further lower the water level and provide stabilization of the man made dam. While visiting that site, we also noticed a powerful odor that may be the source of some of the complaints we have had over the past two summers about the smell of raw sewerage in the area at the end of High Street. We will see if our efforts on the beaver dam help reduce the odors in the area as well.

Drakeside Road

There have been complaints regarding the closure of Drakeside Road for the past few weeks. Upon further investigation, Mr. Hangen reports that the sewer work in the street should be completed within the next couple of weeks and the street can be reopened. We have been working on an arrangement to provide a full width overlay of the street once the trenching work is completed, so we are all hopeful that the end product will help ease the temporary pain of the construction work that has been in progress this summer.

Cemetery Trustees

Mr. Dick Bateman told the Town Manager that the Cemetery Trustees would be pleased to work with the Town on additional space that may be needed adjacent to the Maranatha Church building should the Town decide to purchase that property.

Drakeside Road

Mrs. Bridle asked if the pump station has been upgraded yet. Mr. Barrington said that some of the work is done, but he did not believe all of the work on the building has been completed. Mrs. Bridle asked that a deadline date be obtained. Mr. Sullivan noted that he spoke with Mr. Nigrelli and he indicated that he is aware he is beyond his deadline, but good progress is being made.

Seafood Festival

Parking for the Seafood Festival will be very difficult this year and all people are encouraged to park in one of the satellite lots and take the shuttle in.

CIP Committee

Mr. Warburton reported that the CIP Committee has begun meeting this year and the preliminary reviews are taking place. He said that the number of projects recommended this year will be very limited.

Gazebo

Mr. Warburton asked if there is going to be a ceremony to turn the gazebo over to the town this weekend as had originally been planned. Mr. Barrington said that if that is the intent, he would ask Attorney Gearreald to make the hold harmless agreement a priority.

**V. NEW BUSINESS**Appointment to Estuaries Project Management Study Commission

Mr. Barrington said explained that the Board has been asked to designate a member to the New Hampshire Estuaries Project Management Study Commission that was recently established by the Legislature. This is

the Commission that Cliff Sinnott of the Rockingham Planning Commission told the Board about and it will be examining the need for joint public wastewater facilities and the merits of an ocean outfall. Mr. Barrington noted that Mr. Gillick has been interested in these issues.

**Mr. Sullivan MOTIONED** that Mr. Thomas Gillick be appointed as the Town's representative to the Estuaries Project Management Study Commission.

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

#### Drainage Concern

Mr. Sullivan asked if Mr. Barrington can provide the Board with the history and plans for remediation of the drainage around the railroad tracks. He said that he knows that it has been discussed as part of the engineering for the Exeter Road bridge. Mr. Barrington said that he would do that.

#### Budgets

Mr. Sullivan asked that during the upcoming budget process, that the Town Manager and the Department Heads not be told that they don't need something, or be told how to run their departments. He said that the departments can be told that they may not have the funds for something due to financial constraints, but not because they don't need it.

#### Assessments

Mrs. Bridle told the Board that she spoke with Mr. Estey this week and he is willing to talk to any residents that are concerned about the estimated value of their properties. She emphasized that the new values are not finalized but he is willing to estimate it for residents.

Mrs. Bridle said that since the Board knows that assessments are going up, she would like the Board to consider a Special Town Meeting to consider changing the elderly exemptions. She has recommendations from Mr. Estey and Mrs. Sheehan. Mr. Barrington will have Attorney Gearreald determine if a Special Town Meeting can be held and prepare a time line for that.

### **VI. MINUTES**

The minutes of July 28, 2003 were accepted as written.

### **VII. CONSENT AGENDA**

1. Sidewalk Sale Permits
2. Parade Permit – PFFNH Pipe & Drum at McGuirk's
3. Mortgage Release – 22 Ocean Boulevard

**Mr. Sullivan MOTIONED** that the consent agenda items be approved.

**Mr. Workman SECONDED**

**VOTE: UNANIMOUS FOR**

#### Hampton School Board

Mr. Warburton noted that the Hampton School Board used the Selectmen's Meeting Room last month and will be doing so again this coming week. The Board of Selectmen's next meeting will be August 28<sup>th</sup>.

### **VIII. PUBLIC COMMENT**

Mr. Vic Lessard stated that he is the contractor that has been hired to put into the Drakeside Road Project and the project has been delayed, like all other projects in Hampton, due to the weather. He noted that Drakeside Road is made up of clay and the rain has made conditions unworkable. He also noted that the original sewer line to be installed was 1400' and is now 1800'. He assured the Board that he will have the project completed prior to October 1<sup>st</sup> and that the project will be done correctly.

Nathan Page, 200 Drakeside Road said he is the business and resident that has been most effected by this construction and it hasn't been a major problem. Mr. Page said his biggest concern is with the cars that fly down the street at high rates of speed. He commended Mr. Lessard and his employees on the job they have been doing.

**VI. ADJOURNMENT**

**Mr. Sullivan MOTIONED** that the meeting be adjourned. ( 8:05PM)

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

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Chairman